

## Civil Service Rule 3-8 Veterans' Preference

Approved May 17, 2005, Effective Immediately

### 3-8 Veterans' Preference

#### 3-8.1 Veterans' Preference Authorized

An applicant who is qualified for initial appointment in the classified service is eligible for a preference in consideration during the selection process, as provided in this rule and the regulations. A qualified applicant who is granted a preference in consideration is not guaranteed appointment in the classified service.

#### 3-8.2 Qualifications

- (a) **Veteran.** A *veteran* is a person who (1) has 90 or more calendar days of active duty service in the armed forces of the United States, (2) was honorably discharged from active duty in the armed forces of the United States, and (3) has not retired from any uniformed service.
- (b) **Eligible veteran.** An *eligible veteran* is a veteran who has been released from active military duty within 5 years before the date of application.
- (c) **Eligible disabled veteran.** An *eligible disabled veteran* is an eligible veteran who has been determined to be eligible for disability compensation by the U.S. Department of Veterans Affairs or a branch of the armed forces of the United States as the result of a service-connected disability.
- (d) **Eligible spouse.** An *eligible spouse* is a spouse of a veteran who was released from active military duty within 5 years before the date of application.
- (d) **Eligible surviving spouse.** An *eligible surviving spouse* is a surviving spouse of a veteran who was released from active military duty within 5 years before the date of application.

#### 3-8.3 Types and Order of Veterans' Preference

During a selection process, a qualified eligible applicant who requested preference in consideration at the time of application is given one of the following preferences in consideration, in the following order:

- (a) **Preference points by department of civil service.** If the selection process is based in whole or in part on a numerical score on a written examination conducted by the department of civil service, the department shall add the following preference points to an applicant's final passing score:
- (1) **5 points.** The department of civil service shall add 5 points to the final passing score of the following applicants:
    - (A) An eligible veteran.
    - (B) An eligible surviving spouse.
  - (2) **10 points.** The department of civil service shall add 10 points to the final passing score of the following applicants:
    - (A) An eligible disabled veteran.
    - (B) An eligible spouse of an eligible disabled veteran with greater than 50 percent service-connected disability.
    - (C) An eligible surviving spouse who has a child under 18 years of age.
    - (D) An eligible surviving spouse with continuing parental care of a disabled child.
- (b) **Preference points by appointing authority.** If a qualified eligible applicant is not given numerical preference points under subsection (a) and the appointing authority uses a preliminary applicant screening process based in whole or in part on a numerical score, the appointing authority shall add the following preference points to the applicant's screening score:
- (1) **5 percent.** The appointing authority shall add preference points equal to 5 percent of the highest attained screening score to the screening score of the following applicants:
    - (A) An eligible veteran.
    - (B) An eligible surviving spouse.
  - (2) **10 percent.** The appointing authority shall add preference points equal to 10 percent of the highest attained screening score to the screening score of the following applicants:
    - (A) An eligible disabled veteran.
    - (B) An eligible spouse of an eligible disabled veteran with greater than 50 percent service-connected disability.
    - (C) An eligible surviving spouse who has a child under 18 years of age.

- (D) An eligible surviving spouse with continuing parental care of a disabled child.
- (c) **Preferential consideration by appointing authority.** If a qualified eligible applicant is not given numerical preference points under either subsection (a) or (b), the appointing authority shall give preferential consideration to the qualified eligible applicant in the following manner:
  - (1) If the appointing authority uses a mechanical or random applicant screening process to reduce the number of applicants placed in the candidate pool, the qualified eligible applicant must be retained and placed in the candidate pool.
  - (2) A qualified eligible candidate retained in the candidate pool must be evaluated by the appointing authority using the same merit appraisal methods used for other candidates in the candidate pool.

#### 3-8.4 Technical Complaint

An eligible applicant who timely requested and was not granted preferential consideration as required by this rule and the regulations may file a technical complaint, as authorized in Rule 3-7.2(b) [Technical Appointment Complaint by Applicant].

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